

**REMARKS**

Claims 1-49 are pending in this application.

Claims 1, 14, 26, 39, and 43 are independent.

The Examiner's notice that claims 1-38 and 43-49 are allowable, and that claims 41 would be allowable if rewritten in independent form to include all of the limitations of base claim 40 is noted with appreciation.

Claims 39-40 and 42 stand rejected under 35 U.S.C. §102(e) as anticipated by Powar (U.S. Patent No. 6,285,991). The rejection is respectfully traversed.

Independent claim 39 is directed to an electronic message requiring a first component encrypted with only a symmetric crypto-key, and a second component, different than the first component, encrypted with only a non-symmetric crypto-key.

The Examiner argues that the Powar reference teaches the required limitations of claim 39. In particular, the Examiner argues "Powar discloses in practice sender encrypts the message, which reads on a first component, with the session key used in a symmetric encryption algorithm; encrypts the session key, which reads on a second component, with the recipients public key and sends both to the recipient (col. 4, lines 11-19)."

The relied upon text in Powar discloses a message encrypted with a symmetric session key and the symmetric session key encrypted with an asymmetric public key. The single encrypted message and the separate encrypted public key are then transmitted to a recipient. The recipient then decrypts the symmetric session key and uses the decrypted symmetric session key to decrypt the message.

Discussed above, independent claim 39 requires, *inter alia*, a message having a first component and a second component. The relied upon message in Powar has

only one component, i.e., the message itself. Thus, Powar does not disclose, or even suggest, the message recited in claim 39.

Accordingly, in view of the above, it is respectfully requested that the Examiner reconsider and withdraw the rejection of claim 39, as well as claims 40 and 42 which depend from independent claim 39.

Dependent claim 40 requires that the symmetric crypto-key be associated with a first entity, and that the non-symmetric crypto-key be associated with a second entity. Thus, the first message component is encrypted with a symmetric crypto-key belonging to a first entity, and the second message component is encrypted with a non-symmetric crypto-key associated with a second entity. The Examiner relies upon the above-discussed column 4 disclosure in rejecting claim 40. While the relied upon text discloses multiple keys, each associated with a different entity, the relied upon text, as should be understood from the discussion of claim 39 above, does not teach or suggest the invention recited in claim 40.

Dependent claim 42 requires that the non-symmetric crypto-key be a private crypto-key of a joint private-public crypto-key pair associated with the second entity. The Examiner looks to column 3, lines 39-45, and argues that the requirements of claim 42 are "well known in the cryptography community. While it is acknowledged that joint private-public crypto-key pairs are well known, a single message having a first component encrypted with only a symmetric crypto-key associated with a first entity and a second component encrypted with only a private crypto-key of a joint public-private crypto-key pair associated with a second entity is not disclosed in Powar and is not well known.

Accordingly, notwithstanding the novelty and unobviousness of, and thus allowability of, independent claim 39, it is respectfully requested that the Examiner reconsider and withdraw the rejection of dependent claims 40 and 42.

The art cited by the Examiner but not relied upon in rejecting the claims has been reviewed and found not to disclose the invention as claimed in the present application.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed local telephone number, in order to expedite resolution of any remaining issues and further to expedite passage of the application to issue, if any further comments, questions or suggestions arise in connection with the application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 01-2135 and please credit any excess fees to such deposit account.

Respectfully submitted,

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